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Office of Attorney Ethics Releases Annual Report

Marks 25 th Anniversary

Charles Centinaro, director of the New Jersey Supreme Court's Office of Attorney Ethics (OAE), today announced the release of the [2008 Report of the Attorney Discipline System](#). This report marks the 25th anniversary of the OAE.

Established on Oct. 19, 1983, the OAE is the investigative and prosecutorial arm of the Court in discharging its constitutional authority to supervise and discipline New Jersey attorneys. The OAE handles its own calendar of complex investigations, prosecutions and appellate disciplinary matters. It supervises 548 volunteer attorneys and public members who serve on 18 District Ethics Committees that handle primarily standard disciplinary investigations and prosecutions. Its annual report contains detailed information and statistics on each of these areas. The report can be found at njcourts.com.

OAE Report Highlights

Public Discipline

The report shows a 20.6 percent increase in the number of attorneys disciplined by the Supreme Court in 2008 over 2007. In 2008, 187 attorneys were sanctioned, compared to 155 attorneys in the previous year.

Meanwhile, the number of new investigative cases filed during 2008 declined by 10.2 percent over the previous year, from 1,553 in 2007 to 1,394 in 2008. The number of formal complaints or other charging documents declined by 13.7 percent, from 219 complaints in 2007 to 189 complaints in 2008.

Disciplinary sanctions are imposed by the Supreme Court. They include both final discipline, which is imposed after the completion of an investigation, hearing and review by the Disciplinary Review Board, which is an intermediate appellate tribunal, and emergent actions, which are imposed to protect the public while the disciplinary case is pending.

During 2008, the Supreme Court issued 167 orders for final discipline including

11 disbarments

18 disbarments by consent

55 term suspensions

21 censures

35 reprimands

27 admonitions.

In addition, the Court took emergent action in 20 cases, including 18 temporary suspensions and two temporary license restrictions.

As part of its 25 th anniversary retrospective, the OAE also reported the total sanctions that have been imposed on attorneys since 1983, including

2 license revocations

355 disbarments

424 disbarments by consent

958 final suspensions

60 censures

741 public reprimands

425 private reprimands (sanction was abolished in 1994)

538 admonitions

2 probations.

The Court also imposed 685 temporary suspensions and 44 license restrictions during the past 25 years.

Fee Arbitration

The fee arbitration program, which was adopted by the Supreme Court in 1978, provides clients and attorneys with the means to resolve fee disagreements in a neutral forum that is efficient, cost-effective and confidential. Overseen by the Office of Attorney Ethics, the 291 volunteers who serve on the state's 17 fee arbitration committees usually refer fee disputes to three-member panels comprising two attorneys and one public member. In 2008, the district fee arbitration committees received 1,091 new filings and carried an active pending caseload of 572 cases from the previous year. The committees resolved 1,082 cases, and 581 cases were pending at the end of the year.

Random Audits

Through the random audit compliance program, the Office of Attorney Ethics helps protect the public by reviewing a random selection of private law firms that handle client funds. The program educates and informs attorneys about proper accounting procedures and the Supreme Court's stringent rules regarding financial record-keeping. It also serves as a deterrent to those attorneys who may be tempted to misuse client funds. During 2008, the Supreme Court imposed final discipline on 11 attorneys whose ethical violations were detected through the random audit program. These sanctions included reprimands, admonishments and even disbarments for attorneys who either negligently or knowingly misappropriated client funds.

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